

UNITED STATES DISTRICT COURT  
THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION

IN RE: DAVOL, INC./C.R. BARD,  
INC., POLYPROPYLENE HERNIA  
MESH PRODUCTS LIABILITY  
LITIGATION

Case No. 2:18-md-2846

Judge Edmund A. Sargus, Jr.  
Magistrate Judge Kimberly A. Jolson

This document relates to:  
*Kelly et al v. Davol, Inc. et al*  
Case No. 2:19-cv-4133

**ORDER**

This matter is before the Court on Plaintiff's unopposed Motion to Substitute Party. (ECF No. 4.) Rule 25 provides that, "[i]f a party dies and the claim is not extinguished, the court may order substitution of the proper party." Fed. R. Civ. P. 25(a)(1). "A motion for substitution may be made by any party or by the decedent's successor or representative." *Id.*

Following Plaintiff's death, Loretta B. Kelly was named the executrix of his estate. (ECF No. 4.) Plaintiff now moves for the substitution of Loretta B. Kelly as the proper plaintiff. (*Id.*) Plaintiff's unopposed Motion to Substitute Loretta B. Kelly as the executrix of the estate of Wiley Kelly as the proper plaintiff is **GRANTED**. The Clerk is directed to substitute Loretta B. Kelly as the executrix of the estate of Wiley Kelly as Plaintiff in place of Wiley Kelly.

**IT IS SO ORDERED.**

12/29/2021  
DATE

s/Edmund A. Sargus, Jr.  
EDMUND A. SARGUS, JR.  
UNITED STATES DISTRICT JUDGE